

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

FLACH, Dieter
Adzreiterstrasse 11
83022 Rosenheim
AULLEMAGNE Patent Attorneys
ANDRAE • FLACH • HAUG

15. Feb. 2007

IMPORTANT NOTIFICATION

Date of mailing (day/month/year) 08 February 2007 (08.02.2007)	
Applicant's or agent's file reference 345 P 402 PCT	
International application No. PCT/EP2005/002248	International filing date (day/month/year) 03 March 2005 (03.03.2005)
Applicant KATHREIN-WERKE KG et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

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The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, GR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MK, MN, MW, MX, MY, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter III).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Agnes Wittmann-Regis

Facsimile No. +41 22 338 82 70

Facsimile No. +41 22 338 82 70

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 345 P 402 PCT		FOR FURTHER ACTION	See Form PCT/PEA/416
International application No. PCT/EP2005/002248	International filing date (day/month/year) 03.03.2005	Priority date (day/month/year) 04.03.2004	
International Patent Classification (IPC) or national classification and IPC H01P1/205, H01P7/04			
Applicant KATHREIN-WERKE KG			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of _____ sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 4 sheets, as follows:

☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 602 of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

CORRECTED
VERSION

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPH/APP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2005/002248

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report).
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-11 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages** _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-17 _____ received by this Authority on 24.11.2005 with letter of 22.11.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/4-4/4 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets** _____ received by this Authority on _____
- ☐ a sequence listing (and/or any related table(s)) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and filed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☒ the claims, nos. 18 _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

¹ If item 4 applies, some or all of these sheets may be marked "unrecorded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
1. Statement	
Novelty (N)	Claims <u>2-17</u> YES Claims <u>1</u> NO
Inventive step (IS)	Claims <u>2-4</u> YES Claims <u>1, 5-17</u> NO
Industrial applicability (IA)	Claims <u>1-17</u> YES Claims _____ NO
2. Citations and explanations (Rule 70.7)	
1.	Reference is made to the following document: D1: PATENT ABSTRACTS OF JAPAN vol. 011, no. 343(E-555), 10 November 1987 (1987-11-10) & JP 62 123801 A (MATSUSHITA ELECTRIC IND CO LTD), 5 June 1987 (1987-06-05)
2.	The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel within the meaning of PCT Article 33(2). Document D1 discloses (the references between parentheses relate to said document): Radiofrequency filter having a coaxial design (title), comprising one or more resonators (drawing 1), which have the following features: - an electrically conductive inner conductor in the form of an inner conductor tube (drawing 1 (3,4,5)); - an electrically conductive outer conductor (drawing 1, (1)); - an electrically conductive base, which

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

electrically connects the inner conductor and the outer conductor to one another (drawing 1);

- a cover, which covers the radiofrequency filter with respect to the base and has an inner side and an outer side, the inner side pointing towards a free end of the inner conductor tube (drawing 1);
- a dielectric layer (drawing 1, (11)) with a relative dielectric constant greater than 2 is arranged between the outer side of the cover and the free end of the inner conductor tube (abstract);
- the radial extent of the dielectric layer substantially covers the cross section of the inner conductor tube at its free end (drawing 1),

wherein

- the dielectric layer is arranged on or fixed to the cover (figure 1):

Claim 1 is not novel.

3. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 5-17 does not involve an inventive step within the meaning of PCT Article 33(3).

The features of dependent claims 5-17 are only one of several obvious possibilities from which a person skilled in the art would choose according to the circumstances, without thereby being inventive.

4. The combination of features contained in dependent claim 2 is neither known from the available prior

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

art nor is it suggested by it.

The reasons are as follows:

- the subject matter of claim 2 therefore differs from the known radiofrequency filter by virtue of the fact that:

"the dielectric layer is used in a receptacle in the inner side of the cover."

The problem addressed by the present invention can therefore be considered that of achieving a low resonant frequency, a high dielectric strength and a low physical volume.

The prior art does not disclose any document which solves this problem in the same way or would lead a person skilled in the art to obtain the proposed solution from a combination of various documents.